

RESTRICTION IN REGARD TO APPOINTMENT OF CERTAIN STAFF OFFICERS.

JUNE 7, 1898.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. HULL, from the Committee on Military Affairs, submitted the following

REPORT.

[To accompany H. R. 10606.]

The Committee on Military Affairs, to whom was referred a letter from the honorable Secretary of War, dated June 4, hereto attached, report to the House a bill (H. R. 10606) with the recommendation that it do pass.

WAR DEPARTMENT,
Washington, June 4, 1898.

SIR: I have the honor to call your attention to a certain restriction in the act approved April 22, 1898, entitled "An act to provide for temporarily increasing the military establishment of the United States in time of war, and for other purposes."

Section 10 of the act in question gives to the commander of each army corps, division, and brigade an assistant adjutant-general, an engineer, an inspector-general, a quartermaster, a commissary of subsistence, a surgeon, and aides-de-camp, and to each corps a judge-advocate, and no more officers than those mentioned can be appointed than there are corps, divisions, or brigades. And it is provided "*that when relieved from such staff service said appointments or assignments shall terminate.*"

It will be seen that under strict construction of this proviso these officers are restrained from the performance of any other duty than that of the position to which they are appointed. It often happens in the administration of an army that the quartermaster must act as both quartermaster and commissary, and frequently the adjutant-general must act as inspector-general, and vice versa, so that officers are embarrassed; and the opinion has been given by those competent that an adjutant-general, in the absence of an inspector-general, could not, under the law, perform the duties of the absent officer. No more could a division commissary be sent to obtain supplies for his troops, because his absence from the division might be construed as a termination of staff appointment, as it would in a measure "relieve him from such staff service." However well intended the proviso may have been, its practical application leads to embarrassment, and its early repeal, upon the lines laid down in the bill herewith, is urged upon Congress, it being especially desirable that the volunteer staff be placed under the same rules and regulations for assignment, and all that relates to them, that govern the staff of the Regular Army.

Very respectfully,

R. A. ALGER, *Secretary of War.*

Hon. J. A. T. HULL,
Chairman Committee on Military Affairs, House of Representatives.

